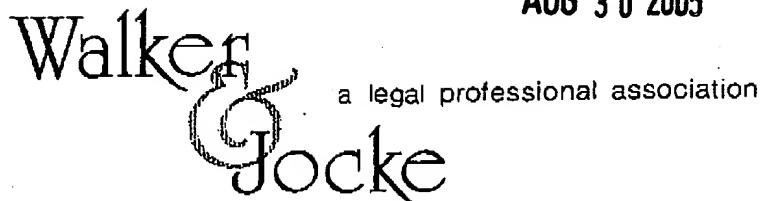


AUG 30 2005



Ralph E. Jocke
Patent
&
Trademark Law

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NAME: Art Unit 3628
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FAX NUMBER: (571) 273-8300
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DATE: August 30, 2005

SENDER: Ralph E. Jocke, Esq.

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COMMENTS: Please refer to the attached Comments on the Substance of the Interview for Application 09/414,290 (D-1112 R1).

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CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(b) AND 1.6(d)**TRANSMISSION**

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AUG 30 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Jeffery M. Enright, et al.)
Application No.: 09/414,290) Art Unit 3628
Confirmation No.: 3095)
Filed: October 7, 1999) Patent Examiner
Title: Remote Viewing of ATM) David Vincent
Transaction Records)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Kindly enter Appellants' Comments on the Substance of the Interview without prejudice
as follows:

Comments on the Substance of the Interview

An interview was conducted on August 29, 2005 between Examiner David Vincent and a representative (Daniel Wasil, Reg. No. 45,303) of Appellants. Upon review of the Office Action dated June 6, 2005, Appellants' representative respectfully requested from the Examiner:

- 1). That the record be made clear whether prosecution has been reopened. MPEP § 1208.02. If reopened, then approval of the reopening in the record via a Supervisory Patent Examiner's signature is respectfully requested.
- 2). That the primary reference (WO 98/11714; Hackett) be made of record by being properly listed on a form PTO-892. MPEP § 707.05(e). Because the primary reference (if it exists) is not of record, resulting in a defective Office Action, the current rejections are moot. The absence of the primary reference from the record would also likely result in a remand to the Examiner from the Board of Patent Appeals and Interferences.
- 3). That a copy of the primary reference (WO 98/11714; Hackett) be provided to Appellants. MPEP § 707.05(a).
- 4). That the time period for reply be restarted due to Examiner error. MPEP § 707.05(g) and 710.06.

Respectfully submitted,



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